

AMENDMENT**In the Claims:**

Please cancel claims 1-4, 8-16 and 18-20 without prejudice.

REMARKS

The Examiner indicates that the pending claims 1-20 define four patentably distinct inventions and are properly subject to a restriction requirement as follows:

- Group I: Claims 1,2 and 16 are drawn to a method of administering p53 polypeptide to enhance apoptosis and delivered in combination with calpain inhibitor, classified in class 530, subclass 350.
- Group II: Claims 1-4, 8-10, 13-16 and 18-20 are drawn to a method of administering p53 polynucleotide to enhance apoptosis and delivered in combination with calpain inhibitors, classified in class 514, subclass 44.
- Group III: Claims 5-7 and 17 are drawn to a method of increasing infectivity [by] treatment of cells with calpain inhibitor and viral vector, classified in class 424, subclass 93.6.
- Group IV: Claims 11 and 12 are drawn to a method of suppressing in vivo CTL response by the administration of viral vector in combination with calpain inhibitor, classified in class 424, subclass 188.1.

The Examiner indicates that the requirement for restriction is proper because the inventions are distinct from each other and have acquired a separate status in the art.

Applicants elect to prosecute the claims as described in Group III, *i.e.* claims 5-7 and 17, in this application. Consequently, the Applicants have cancelled the subject matter of claims 1-4, 8-16 and 18-20 leaving only the claims of Group III pending in this application. Applicants reserve the right to file divisional applications with regard to the subject matter of the cancelled claims.

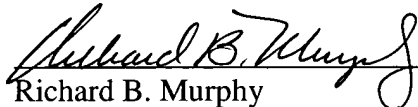
CONCLUSION

Applicant believes that the pending claims in this application are no longer subject to a requirement for restriction and that they define a single invention as set forth by the examiner. Consequently, applicants respectfully request that this application be granted favorable consideration and passed to issuance without further delay.

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Respectfully submitted,

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